

FCC MAIL SECTION

Federal Communications Commission

DA 99-1791

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b),)	
Table of Allotments,)	
FM Broadcast Stations.)	
)	
(Dove Creek, Colorado))	MM Docket No. 99-203
)	RM-9621
)	
(Hazelton, Idaho))	MM Docket No. 99-205
)	RM-9624
)	
(Flagstaff, Arizona))	MM Docket No. 99-210 ✓
)	RM-9629
)	
(Kootenai, Idaho))	MM Docket No. 99-213
)	RM-9641

REPORT AND ORDER
(Proceeding Terminated)

Adopted: August 25, 1999

Released: September 3, 1999

By the Chief, Allocations Branch:

1. The Commission has before it for consideration a multiple docket Notice of Proposed Rule Making ("NPRM"), as specified below, setting forth separate proposals to allot channels to specific communities. The proposals set forth in the above-captioned NPRM were not mutually exclusive with each other, and those that remain so are consolidated in this Report and Order as part of our effort to expedite and make more efficient the FM allotment rulemaking process because these proceedings are uncontested. While consolidated, these dockets are still separate for finality purposes. In the event a reconsideration petition is directed to an action in a particular docket, a separate Memorandum Opinion and Order will resolve that reconsideration petition.

2. Each petitioner filed comments in support of its proposal, reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements, and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as follows:

(1) MM Docket No. 99-203; RM-9621; (DA 99-1088) released June 4, 1999

Action: Mountain West Broadcasting requested the allotment of Channel 273C3 to Dove Creek, Colorado, as that community's first local aural transmission service. Supporting comments were filed individually by the petitioner and by Dove Creek Broadcasting Company. In view of the interests expressed in this proceeding, we are allotting Channel 273C3 to Dove Creek, Colorado, as requested.

Coordinates: 37-45-54 NL and 108-54-18 WL

Additional Information: Channel 273C3 can be allotted to Dove Creek, without a site restriction.

FCC Contact: Nancy Joyner (202) 418-2180

(2) MM Docket No. 99-205; RM-9624; (DA 99-1088) released June 4, 1999

Action: Mountain West Broadcasting requested the allotment of Channel 232C3 to Hazelton, Idaho, as that community's first local aural transmission service. Supporting comments were filed individually by the petitioner and by Hazelton Broadcasting Company. In view of the interests expressed in this proceeding, we are allotting Channel 232C3 to Hazelton, as requested.

Coordinates: 42-35-54 NL and 114-07-54 WL

Additional Information: Channel 232C3 can be allotted to Hazelton without a site restriction.

FCC Contact: Nancy Joyner (202) 418-2180.

(3) MM Docket No. 99-210; RM-9629; (DA 99-1088) released June 4, 1999

Action: Mountain West Broadcasting requested the allotment of Channel 279C3 to Flagstaff, Arizona, as that community's fifth local FM transmission service. Supporting comments were filed individually by the petitioner and by REC Networks. As stated in the Notice, a separate proposal filed by Mark S. Haughwout requesting the allotment of Channel 279A to Flagstaff has been considered as supporting comments in this proceeding. Our determination therein was premised on the Commission's policy to allot the highest class channel requested to a community that complies with the legal and technical provisions of our rules. In light of the interests expressed in this proceeding, we are allotting Channel 279C3 to Flagstaff, as requested.

Coordinates: 35-17-19 NL and 111-38-26 WL

Additional Information: Channel 279C3 can be allotted to Flagstaff with a site restriction 10.6 kilometers (6.6 miles) north of the community to avoid a short-spacing to Station KBZG(FM), Channel 282C, Payson, Arizona, at coordinates 34-25-48 NL and 111-30-16 WL. The site restriction will also negate a 2.8 kilometer short-spacing to Station KPBZ(FM),

Channel 280C3, Chino Valley, Arizona, at coordinates 34-42-52 NL and 112-31-33 WL, as well as a 3.1 kilometer short-spacing to Station KAFF-FM, Channel 225C, Flagstaff, at coordinates 34-58-07 NL and 111-30-24 WL.

FCC Contact: Nancy Joyner (202) 418-2180.

(4) MM Docket No. 99-213; RM-9641; (DA 99-1088) released June 4, 1999

Action: Mountain West Broadcasting requested the allotment of Channel 294A to Kootenai, Idaho, as that community's first local aural transmission service. Supporting comments were filed individually by the petitioner as well as Kootenai Broadcasting Company. In view of the interests expressed herein, we are allotting Channel 294A to Kootenai, Idaho, as requested.

Coordinates: 48-18-37 NL and 116-30-45 WL

Additional Information: Channel 294A can be allotted to Kootenai without a site restriction. Additionally, as Kootenai is located within 320 kilometers (200 miles) of the U.S.-Canada border, concurrence of the Canadian government to this allotment was obtained.

FCC Contact: Nancy Joyner (202) 418-2180

3. Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective October 18, 1999, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Flagstaff, Arizona	225C, 230C, 248C, 261C2, 279C3
Dove Creek, Colorado	273C3
Hazelton, Idaho	232C3
Kootenai, Idaho	294A

4. The window period for filing applications for these allotments will not be opened at this time. Instead, the issue of opening a filing window for these allotments will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

6. For further information concerning a specific docket, contact the FCC Contact person listed above for that docket. Questions related to the application filing process should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

**John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau**